

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIANA L. CAESAR

Plaintiff,

v.

**HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,**

Defendant.

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Case No. 2:09-CV-570

JUDGE ALGENON L. MARBLEY

Magistrate Judge Mark Abel

ORDER AWARDING PLAINTIFF'S BENEFITS

This matter is before the Court upon remand from the Sixth Circuit Court of Appeals, mandating an award of long-term disability benefits plus interest to the Plaintiff. (Dkt. 36.) Pursuant to the Employee Retirement Income Security Act ("ERISA"), Plaintiff claimed entitlement to long-term disability ("LTD") benefits from the employee welfare plan ("the Plan") established by her employer, the Allstate Insurance Company ("Allstate") under 29 U.S.C. § 1132(a)(1)(B). Defendant Hartford Life and Accident Insurance Company ("Hartford") terminated Plaintiff's benefits on October 25, 2008. Plaintiff submitted a formal appeal to Hartford's review board, which after further review upheld its denial of benefits. Plaintiff then brought suit in this Court for the reinstatement of her benefits.

On appeal from this Court's Order granting Hartford's Motion for Judgment on the Administrative Record, and denying Plaintiff's Motion for Judgment on the Administrative Record, the Sixth Circuit held that the "administrative record shows that Caesar is disabled under the provisions of the [Plan's] policy," and that "Hartford's termination of Caesar's LTD benefits

was arbitrary and capricious.” (Dkt. 36.) The Sixth Circuit remanded the case to this Court to grant Plaintiff’s petition to reverse the administrative decision denying Plaintiff’s benefits.

The Court accordingly **REVERSES** Hartford’s decision upholding its termination of Plaintiff’s LTD benefits. Hartford is hereby **ORDERED** to resume paying Diana Caesar her monthly long-term disability benefits under the Plan, including unpaid benefits plus interest beginning from October 25, 2008, the date on which her benefit payments were terminated.

No further issues remaining to be decided, the case is now closed.

IT IS SO ORDERED.

s/ Algenon L. Marbley
Algenon L. Marbley
United States District Judge

Dated: February 13, 2012